

## **Listing of claims**

1. (previously presented) A sample testing instrument for processing a test sample device and a fluid receptacle containing a fluid sample, comprising:

a vacuum station for loading the fluid sample into the test sample device via a conduit connecting the fluid receptacle to the test sample device, and

a sealer for cutting and sealing the conduit connecting the test sample device to the fluid receptacle containing the fluid sample, comprising:

an enclosure having an aperture and shield moveable between a first position covering said aperture and a second position not covering said aperture;

a moveable cutting element assembly having a home position located within said enclosure;

a motor for moving said cutting element assembly through said aperture to a deployed position wherein said cutting element assembly is positioned external to said enclosure at a position for cutting said conduit, wherein movement of said cutting element assembly through said aperture causes said shield to move to said second position, and wherein movement of said cutting assembly from said deployed position to said home position causes said shield to move from said second position to said first position covering said aperture, whereby when said cutting element is in said home position, said shield and said enclosure prevent inadvertent contact with said cutting assembly.

2. (previously presented) The instrument of claim 1, wherein said cutting element assembly comprises a hot cutting wire supplied with current from a constant current source.

3. (previously presented) The instrument of claim 1, wherein said motor and enclosure are constructed and arranged such that said motor drives said cutting element assembly relative to said enclosure in a direction having both vertical and horizontal components.

4. (previously presented) The instrument of claim 1, wherein said cutting element assembly further comprises a cutting wire and a spring-loaded member engaging with said test sample device when said cutting element assembly is moved to said deployed position and wherein, when said cutting wire is in said deployed position, the engagement of said spring-loaded member with said test sample device urges said test sample device against a fixed structure in said instrument to thereby hold said test sample device in a fixed position while said cutting wire cuts and seals said conduit.

5.-9. Cancelled.

10. (previously presented) The instrument of claim 1, wherein said test sample device comprises a multi-well test sample card and wherein said conduit comprises a transfer tube attached to the test sample card for introduction of a fluid sample into said test sample card.

11-12. Cancelled.